

Form 01 - PERSONAL WITH A MILITARY AETNA CENTRAL JUDICIAL SERVICES

LAW OFFICE OF JOHN A DALLEY

ATTN:

U.S.SOUTHERN DIST. COURT NEW YORK COUNTY

HAVANA CHELSEA LUCHEONETTE, INC. plaintiff

- against -

THOMAS VICARI, INDIVIDUALLY, ETC. ETAL defendant

Index No. 08 CV 00260

Date Filed

Office No.

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK

:SS:

HARRY TORRES being duly sworn, deposes and says; I am over 18 years of age, not a party to this action, and reside in the State of New York. That on the 23rd day of January, 2008 01:23 PM at 184 EIGHTH AVE NEW YORK, NY 10011

I served the SUMMONS AND COMPLAINT

upon THOMAS VICARI

the DEFENDANT therein named by delivering and leaving a true copy or copies of the aforementioned documents with THOMAS VICARI

said DEFENDANT personally.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of the service as follows:

SEX: MALE

COLOR: WHITE

HAIR: BLACK

APP. AGE: 50

APP. HT: 5:9

APP. WT: 200

OTHER IDENTIFYING FEATURES:

That at the time of service, as aforesaid, I asked DEFENDANT whether he/she was in the military service of the United States Government, or of the State of New York, and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the DEFENDANT is not in the military service of the United States Government or of the State of New York, as that term is defined in statutes of the State of New York, or of the Federal Soldiers and Sailors Civilian Relief Act.

Sworn to before me this 25th day of January, 2008

2008i

JOEL GOLUB

Notary Public, State of New York

No. 01G04751136

Qualified in NASSAU COUNTY

Commission Expires 12/31/2009

HARRY TORRES 0915257

AETNA CENTRAL JUDICIAL SERVICES

225 BROADWAY, SUITE 1802

NEW YORK, NY, 10007

Reference No: 3JAD107881

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I served the SUMMONS AND COMPLAINT upon THOMAS VACARI D/B/A CHELSEA HAVANA the DEFENDANT therein named by delivering and leaving a true copy or copies of the aforementioned documents with THOMAS VACARI D/B/A CHELSEA HAVANA said DEFENDANT personally.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of the service as follows:

SEX: MALE

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HARRY TORRES 0915257
AETNA CENTRAL JUDICIAL SERVICES
225 BROADWAY, SUITE 1802
NEW YORK, NY, 10007
Reference No: 3JAD107882